

(c) **PROOF OF MINIMUM FINANCIAL RESPONSIBILITY REQUIRED AT TIME OF APPLICATION.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to establish minimum levels of financial responsibility required for entities to receive approval pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation).

(d) **REEVALUATION BY REQUEST FOR RELATED VIOLATIONS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall promulgate such regulations as are necessary to establish a process for any interested party to request a reevaluation of the approval of FMOC cylinders under section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), to review the accuracy and safety of the actions of the FMOC.

(2) **PETITION FOR REEVALUATION.**—The regulations promulgated under paragraph (1) shall allow an interested party to file a petition if that party has evidence of inaccurate, changed, or fraudulent attestations or responses made by an FMOC to the Secretary under subsection (b), (c), or (f).

(e) **NOTICE AND COMMENT FOR APPLICATIONS BY FOREIGN MANUFACTURERS OF CYLINDERS.**—On receipt of an application for approval under section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), the Secretary shall timely publish notification of the application in the Federal Register and provide 30 days for public comment on the application prior to approval.

(f) **ADDITIONAL QUESTIONS TO ENSURE SAFETY AND COMPLIANCE WITH DOT PROCESSES.**—

(1) **ADDITIONAL QUESTIONS.**—The Secretary shall require, as part of an application for approval pursuant to section 107.807 of title 49, Code of Federal Regulations (or a successor regulation), that the applicant answer the following questions:

(A) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has ever been subject to a civil monetary penalty under title 49, United States Code, relating to any actions carried out as an approved FMOC or during the application for approval under that section.

(B) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has been delinquent in the payment of any civil monetary penalties or other fines or fees under title 49, United States Code.

(C) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is subject to the Do Not Pay Initiative established under section 3354 of title 31, United States Code, as of the date of the application.

(D) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is listed in the Military End User List of the Department of Commerce as of the date of the application.

(E) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is identified by the Department of Defense as an entity listed under section 1237 of division A of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (50 U.S.C. 1701 note; Public Law 105-261) as of the date of application.

(F) Does the FMOC applying certify that—

(i) the FMOC has the requisite minimum financial responsibility as required under subsection (c); and

(ii) the financial responsibility will continue throughout entirety of the requested approval period.

(G) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, has been found guilty of a crimi-

nal penalty or assessed a civil penalty under section 1760 of division A of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (50 U.S.C. 4819).

(H) Whether the FMOC applying, or any entity controlling more than 10 percent of that FMOC, is subject to a final antidumping or countervailing duty order from the Department of Commerce as of the date of application.

(2) **DENIAL OF APPLICATION.**—The Secretary may deny an application for approval under section 107.709 of title 49, Code of Federal Regulations (or a successor regulation), based on the responses to the questions required under paragraph (1).

(g) **FOREIGN MANUFACTURERS LISTING APPROVALS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Secretary shall publish and maintain on the website of the Department of Transportation a list of approved foreign manufacturers of cylinders and the duration of those approvals.

(h) **AUTHORIZING FOREIGN INSPECTIONS.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall revise section 107.807(d) of title 49, Code of Federal Regulations—

(1) to require that in any case in which the Associate Administrator for Hazardous Materials Safety determines there is good cause, an inspection under that section shall be carried out annually for such duration as the Associate Administrator for Hazardous Materials Safety determines appropriate;

(2) to specify that a refusal of inspection under that section shall result in a loss of the status of in good standing;

(3) to allow the Associate Administrator for Hazardous Materials Safety to request, at the discretion of the Associate Administrator for Hazardous Materials Safety—

(A) production of test and production records; and

(B) random sample testing; and

(4) allow for the recovery of all associated costs of foreign inspections to include travel, time, and other costs, as determined by the Secretary.

**SA 2038.** Mr. LANKFORD submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of section 2107(c), add the following: “The Director shall require, to the extent practicable as determined by the Director, not less than 20 percent of the cost of a research and development activity described in subsection (a) to be provided by a non-Federal source, which may include in-kind contributions.”.

**SA 2039.** Mr. LEE submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation,

manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

In section 6111, insert at the end the following:

(j) **LIMITATION.**—In carrying out this section and section 6112, the Secretary shall ensure that no Federal funding is made available for any program under either section that duplicates another federally funded program.

**SA 2040.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 967, strike line 11 and all that follows through page 972, line 9, and insert the following:

(d) **APPOINTMENT.**—The President shall appoint, by and with the consent of the Senate, an Ambassador-at-large for Arctic Affairs who shall—

(1) be responsible for Arctic affairs; and

(2) report directly to the Secretary of State.

(e) **DUTIES.**—The Ambassador-at-large for Arctic Affairs shall—

(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—

(A) strengthening institutions for cooperation among the Arctic nations;

(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;

(C) protecting the Arctic environment and conserving its biological resources;

(D) promoting responsible natural resource management and economic development; and

(E) involving Arctic indigenous people in decisions that affect them;

(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States within multilateral fora that address international cooperation and foreign policy matters in the Arctic Region;

(3) help inform, in coordination with the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;

(4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;

(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) assist with the development of, and facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g);

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations

to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g);

(8) coordinate Arctic policy with the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

(B) multilateral conferences and meetings relating to Arctic affairs;

(10) serve as the principal advisor to the President and the Secretary of State regarding matters affecting Arctic affairs;

(11) make recommendations regarding the policies of the United States relating to Arctic affairs;

(12) assist the Bureau of European and Eurasian Affairs with the development and implementation of the Arctic Region Security Policy pursuant to subsection (g); and

(13) perform such other duties and exercise such powers as the Secretary of State shall prescribe.

(f) FUNDING.—The Secretary of State shall provide the Ambassador-at-large with such funds as may be necessary to carry out the duties described in subsection (e).

(g) ARCTIC REGION SECURITY POLICY.—The Bureau of European and Eurasian Affairs shall be the lead bureau for developing and implementing the United States' Arctic Region Security Policy, in coordination with the Ambassador-at-large for Arctic Affairs, the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of Political-Military Affairs, embassies, other regional bureaus, and relevant offices to advance United States national security interests, including through conflict prevention efforts, security assistance, humanitarian disaster response and prevention, and economic and other relevant assistance programs. The Arctic Region Security Policy shall assess, develop, budget for, and implement plans, policies, and actions—

(1) to bolster the diplomatic presence of the United States in Arctic nations, including through enhancements to diplomatic missions and facilities, participation in regional and bilateral dialogues related to Arctic security, and coordination of United States initiatives and assistance programs across agencies to protect the national security of the United States and its allies and partners;

(2) to enhance the resilience capacities of Arctic nations to the effects of environmental change and increased civilian and military activity by Arctic nations and other nations that may result from increased accessibility of the Arctic Region;

(3) to assess specific added risks to the Arctic Region and Arctic nations that—

(A) are vulnerable to the changing Arctic environment; and

(B) are strategically significant to the United States;

(4) to coordinate the integration of environmental change and national security risk and vulnerability assessments into the decision making process on foreign assistance awards to Greenland;

(5) to advance principles of good governance by encouraging and cooperating with Arctic nations on collaborative approaches—

(A) to responsibly manage natural resources in the Arctic Region;

(B) to share the burden of ensuring maritime safety in the Arctic Region;

(C) to prevent the escalation of security tensions by mitigating against the militarization of the Arctic Region;

(D) to develop mutually agreed upon multilateral policies among Arctic nations on the management of maritime transit routes through the Arctic Region and work cooperatively on the transit policies for access to and transit in the Arctic Region by non-Arctic nations; and

(E) to facilitate the development of Arctic Region Security Action Plans to ensure stability and public safety in disaster situations in a humane and responsible fashion; and

(6) to evaluate the vulnerability, security, survivability, and resiliency of United States interests and non-defense assets in the Arctic Region.

**SA 2041.** Ms. MURKOWSKI submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

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(1) facilitate the development and coordination of United States foreign policy in the Arctic Region relating to—

(A) strengthening institutions for cooperation among the Arctic nations;

(B) enhancing scientific monitoring and research on local, regional, and global environmental issues;

(C) protecting the Arctic environment and conserving its biological resources;

(D) promoting responsible natural resource management and economic development; and

(E) involving Arctic indigenous people in decisions that affect them;

(2) coordinate the diplomatic objectives with respect to the activities described in paragraph (1), and, as appropriate, represent the United States within multilateral fora that address international cooperation and foreign policy matters in the Arctic Region;

(3) help inform, in coordination with the Bureau of Economic and Business Affairs, transnational commerce and commercial maritime transit in the Arctic Region;

(4) coordinate the integration of scientific data on the current and projected effects of emerging environmental changes on the Arctic Region and ensure that such data is applied to the development of security strategies for the Arctic Region;

(5) make available the methods and approaches on the integration of environmental science and data to other regional security planning programs in the Department of State to better ensure that broader decision making processes may more adequately account for the changing environment;

(6) assist with the development of, and facilitate the implementation of, an Arctic Region Security Policy in accordance with subsection (g);

(7) use the voice, vote, and influence of the United States to encourage other countries and international multilateral organizations to support the principles of the Arctic Region Security Policy implemented pursuant to subsection (g);

(8) coordinate Arctic policy with the Bureau of Oceans and International Environmental and Scientific Affairs, the Bureau of European and Eurasian Affairs, and other relevant bureaus;

(9) subject to the direction of the President and the Secretary of State, represent the United States with respect to matters and cases relevant to Arctic affairs in—

(A) contacts with foreign governments, intergovernmental organizations, and specialized agencies of the United Nations, the Arctic Council, and other international organizations of which the United States is a member; and

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(A) are vulnerable to the changing Arctic environment; and

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(4) to coordinate the integration of environmental change and national security risk